



IFC

Rev 01/04

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Robert A. Talbot
Application No. : 10/824,191
Filed : April 14, 2004
Confirmation No. : 5889
For : VARIABLE HEIGHT COVERING SYSTEM
Examiner :
Attorney's Docket : PIC-028XX

TC Art Unit: 3612

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

July 9, 2004.

By: Beverly E. Hjorth
Beverly E. Hjorth
Registration No. 32,033
Attorney for Applicant(s)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is desired to cite for the record in this application the enclosed references listed on the attached copy of PTO Form #1449. The paragraph(s) marked below are applicable to this Information Disclosure Statement.

- [X] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached Information Disclosure Statement is being filed within three months of the filing date of the above identified national application or within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 of the above identified application. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- [] (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.

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- ☐ (3) Pursuant to 37 C.F.R. § 1.97(b)(4), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- ☐ (4) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:
- ☐ a statement under 37 CFR § 1.97(e); or
- ☐ the fee set forth in § 1.17(p).

PETITION UNDER 37 CFR § 1.97(d)

- ☐ (5) Pursuant to 37 CFR § 1.97(d), applicant(s) hereby petitions the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT UNDER 37 C.F.R. § 1.97(e) (1)

- ☐ (6) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e) (2)

- ☐ (7) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Where the status of the application has changed, unknown to the applicant, such that the boxes checked are no longer applicable, the Commissioner is authorized to accept this submission with any additional fees required by that change charged to Deposit Account No. 23-0804.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of

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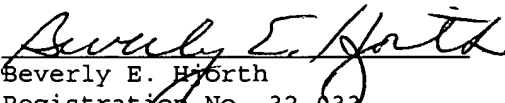
every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

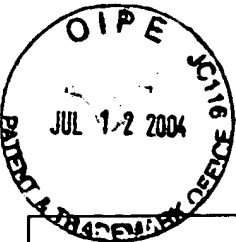
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Enclosure
308366



Date: July 9, 2004

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U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>	ATTY. DOCKET NO. PIC-028XX	APPLICATION NO. 10/824,191
	APPLICANT: Robert A. Talbot	
	FILING DATE April 14, 2004	TC ART UNIT 3612

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	PUBLICATION/ ISSUE DATE	NAME	CLASS	SUBCLASS	FILING DATE
	US3,549,197*	12/22/70	S.F. Sibley	296	100	
	US3,868,142*	02/25/75	Bachand et al.	296	98	
	US4,050,734*	09/27/77	Richard	296	98	
	US4,341,416*	07/27/82	Richard	296	98	
	US4,516,802*	05/14/85	Compton	296	98	
	US4,740,029*	04/26/88	Tuerk	296	100	
	US5,031,955*	07/16/91	Searfoss	296	98	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

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EXAMINER**DATE CONSIDERED**

***EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*Pursuant to PTO waiver, no U.S. art needs to be forwarded on applications filed after June 30, 2003
308367

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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION/ ISSUE DATE	NAME	CLASS	SUBCLASS	FILING DATE
		US5,054,840*	10/08/91	Wilhite	296	98	
		US5,205,605*	04/27/93	Haddad	296	98	
		US5,238,237*	08/24/93	Haddad	296	98	
		US5,303,972*	04/19/94	Heider et al.	296	98	
		US5,340,187*	8/1994	Haddad	296	98	
		US5,179,991*	1/1993	Haddad	296	98X	
		US4,842,323*	6/1989	Trickett	296	98	

FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)							

EXAMINER	DATE CONSIDERED
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U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>	ATTY. DOCKET NO. PIC-028XX	APPLICATION NO. 10/824,961
	APPLICANT: Robert A. Talbot	
	FILING DATE April 14, 2004	TC ART UNIT 3612

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	PUBLICATION/ ISSUE DATE	NAME	CLASS	SUBCLASS	FILING DATE
	US3,774,958*	11/1973	Thorpe	296	98	
	US4,848,823*	7/1989	Flohr et al.	296	98	
	US5,697,664*	12/1997	Chenoweth	296	98	
	US5,823,604*	10/1998	Chenoweth	296	98	
	US5,829,819*	11/1998	Searfoss	296	98	
	US5,292,169*	3/1991	O'Brian	296	98	
	US5,957,523*	9/1999	Haddad, Jr.	296	98	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION/ ISSUE DATE	NAME	CLASS	SUBCLASS	FILING DATE
		US6,089,645*	7/18/2000	Haddad, Jr.	296	98	
		US6,206,448*	3/27/2001	Haddad, Jr.	296	89	
		US					
		US					
		US					
		US					

FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
		JP62131835 with English Abstract	6/15/87	Japan			
		JP63173740 with English Abstract	7/18/1998	Japan			
		EP 0 581 512 B1	10/16/1996	EPO			

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)							

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